

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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In re :

VITAMINS ANTITRUST LITIGATION. :

MDL No. 1285

Misc. No. 99-197 (TFH)

FILED

FEB 27 2001

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NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

This Document Relates To: :

ALABAMA MEDICAID AGENCY, :

Plaintiff, :

— against — :

F. HOFFMANN-LA ROCHE LTD et al., :

Defendants. :

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**STIPULATION AND ~~PROPOSED~~ ORDER
CONCERNING AMENDED COMPLAINT
AND RELATED MATTERS**

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the
Court, as follows:

1. No defendant need respond to the original complaint;
2. Plaintiff has decided to amend its complaint to omit the original
complaint's allegations to the effect that plaintiff is, in a commercial sense, a direct
purchaser of the various defendants' products;
3. No defendant need respond to the amended complaint until the later of
April 9, 2001, or the 38th day after it is served with the amended complaint;

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4. Plaintiff will respond on or before May 7, 2001, to any motions to dismiss with which it has been served by April 9, 2001;

5. Any defendant served by May 7, 2001, with papers in opposition to its motion to dismiss may have through May 28, 2001, to serve reply papers in further support of that motion;

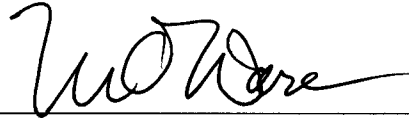
6. In no circumstances need any defendant respond to the amended complaint until the 30th day after that defendant has been served with process; and,

7. All defenses, including without limitation the defenses of lack of personal jurisdiction, insufficiency of service of process and failure to state a claim upon which relief can be granted, are preserved.

Dated: February 21, 2001

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SO ORDERED, February 26, 2001:



Hon. THOMAS F. HOGAN
United States District Judge

CERTIFICATE OF SERVICE

The undersigned member of the Bar of this Court hereby certifies that this Stipulation and [Proposed] Order was served on all MDL counsel on February 21, 2001, by transmission to Verilaw in accordance with the Order Regarding Electronic Service entered May 17, 2000.



MICHAEL O. WARE